

COMMONWEALTH OF MASSACHUSETTS
State Building Code (780 CMR) Appeals Board
Board's Ruling on Appeal¹

Docket No. 09-717

Appellant(s): Patrick Walsh

vz. Appellee(s): City of Boston
Tom O'Donnell

Procedural History

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant him a variance from 6th Edition 780 CMR 3400.3, 904.7, 906.2.1, 906.2.2 for 252-254 Adams Street, Dorchester, MA. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et. seq.*; and 780 CMR 122.3.4, the Board convened a public hearing on March 5, 2009 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

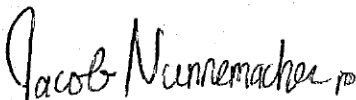
Russ Forsberg testified on behalf of the appellant. Patrick Walsh and Tom O'Donnell appeared as well.

Discussion


A motion was made to deny the Appellant's request for a variance from 6th Edition 780 CMR 3400.3, 904.7, 906.2.1, 906.2.2, and order the owner/appellant to conduct a 3402 analysis, which includes the fire detection and signaling system, done by a registered professional and submit it to the Boston Inspectional Services Department for their review. It was noted by the Board that if no work has been done during the period of current ownership then the Board may not see cause for sprinklering of the building. There was a second on the motion and a board vote was taken, which was unanimous.

Conclusion

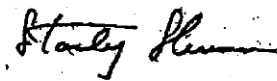
The Appellant's request for a variance from 6th Edition 780 CMR 3400.3, 904.7, 906.2.1, 906.2.2 is hereby denied and so ordered² on this date: March 5, 2009.



Jacob Nunnemacher



Douglas Semple



Stanley Shuman

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

² In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.